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on March 5, 2007

By: Josie Ean

PATENT
Attorney Docket No. 021186-001520US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

JOHN MILLER *et al.*

Application No.: 10/692,424

Filed: October 22, 2003

For: BALLOON CATHETER

Confirmation No. 8368

Examiner: HOOK, JAMES F

Technology Center/Art Unit: 3754

**TRANSMITTAL OF
AMENDED
APPELLANTS' BRIEF UNDER
37 CFR §41.37**

Mail Stop Appeal Brief
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The attached Amended Appeal Brief is being filed in response to the U.S. Patent Office Communication mailed on February 15, 2007, which indicated that the "Grouping of Claims" heading in the Appeal Brief filed 9/5/2006 is not required under 37 C.F.R. § 41.37 and should be omitted. The Amended Brief attached hereto corrects the alleged informality noted in the Communication.

For sake of clarity, Appellants point out that a Reply Brief in response to the Examiner's Answer (mailed 12/4/2006) was filed on 2/2/2007. The Reply Brief has not been addressed in the Office Communication mailed 2/15/2007.

The Appeal Brief fee has been paid pursuant to 37 CFR §41.20. While no fees are believed to be due at this time, the Commissioner is hereby authorized to charge any

additional fees associated with this paper or during the pendency of this application to Townsend and Townsend and Crew Deposit Account No. 20-1430.

Respectfully submitted,

Date:

3/5/2007



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